

December 21, 2005

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IN THE SUPREME COURT OF THE STATE OF IDAHO
2005 Opinion No. 131

IDAHO SCHOOLS FOR EQUAL)
EDUCATIONAL OPPORTUNITY; MOSCOW)
SCHOOL DISTRICT #281; LAPWAI SCHOOL)
DISTRICT 341; MULLAN SCHOOL)
DISTRICT #392; POTLATCH SCHOOL)
DISTRICT #285; KENDRICK JOINT SCHOOL)
DISTRICT #283; CASCADE SCHOOL)
DISTRICT #422; ST. MARIES JOINT)
SCHOOL DISTRICT #41; OROFINO JOINT)
SCHOOL DISTRICT #171; CULDESAC)
JOINT SCHOOL DISTRICT #342;)
GENESEE JOINT SCHOOL DISTRICT #282;)
HIGHLAND-CRAIGMONT JOINT SCHOOL)
DISTRICT #305; ROCKLAND SCHOOL)
DISTRICT #382; HORSESHOE BEND)
SCHOOL DISTRICT #73; RICHFIELD)
SCHOOL DISTRICT #316; BOUNDARY)
COUNTY DISTRICT #101; KAMIAH JOINT)
DISTRICT #204; NEZ PERCE DISTRICT)
#302; COTTONWOOD DISTRICT #242;)
MIDVALE SCHOOL DISTRICT #433; POST)
FALLS SCHOOL DISTRICT #272; AND)
BONNER COUNTY SCHOOL DISTRICT #82,)

Docket No. 29616

Plaintiffs-Counterdefendants-)
Respondents,)
)
and)
)
BRIAN SILFLOW and GANEL SILFLOW, by)
and through their parents, DALE and PATTI)
SILFLOW, husband and wife; DONALD PAUL)
CREA by and through his father, GARY CREA;)
ANDY COOK, by and through his father,)
LARRY PRALLY; TAVIA GILBERT, BY)
and through her parents; TERRY and)

CAROLYN GILBERT; GREGORY LAMM, by)
and through his mother, KATHY LAMM;)
SARA KAE GOMEZ, by and through her)
parents, KATHLEEN and JOSE GOMEZ;)
DIETRICH STELLA and JENNIFER STELLA,)
by and through their parents, CHARLES and)
REBECCA STELLA; GREGORY DANIELS,)
by and through his mother, NANCY DANIELS;)
GINA M. DECKER, by and through her parents,)
GENE and LINDA DECKER; JENNIFER A.)
ALDER, by and through her parents, MAX and)
JUDY ALDER; ANGELA F. GERRARD, by)
and through her parents, ROGER and RHODA)
GERRARD; CATHERINE A. SPORLEDER, by)
and through her mother; JOANNE)
SPORLEDER; MORGAN ROUNDS and SETH)
ROUNDS, by and through their parents, IVAN)
ROUNDS and BRENDA ROUNDS; KELLI)
LONGETEIG, by and through her parents,)
WILLFRED LONGETEIG and BEVERLY)
LONGETEIG; DON HOFFER, by and through)
his mother, KIT HOFFER; SARAH MALLOY,)
by and through her mother, SUSIE MALLOY;)
KORY TURNBOW, by and through his mother,)
DONAGENE TURNBOW; SHAWNA OLSEN,)
SHANNON OLSEN and RYAN OLSEN, by)
and through their mother, TERESA OLSEN;)
KRISTA ANNE GOETZ, by and through her)
father, ALLAN J. GOETZ; CHAD KNEE, by)
and through his parents, KELLY and KAREN)
KNEE; on behalf of themselves and all other)
school people of the State of Idaho similarly)
situated,)
)
Plaintiffs-Respondents,)
)
v.)
)
THE STATE OF IDAHO,)
)
Defendant-Counterclaimant-Appellant.)
)

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Hon. Deborah A. Bail, District Judge.

The decision of the district court granting Respondents' declaratory judgment is affirmed.

Hon. Lawrence G. Wasden, Attorney General, Boise, for appellant. James D. Carlson argued.

Huntley Park, LLP, Boise, for respondents. Robert C. Huntley Jr. argued.

The Idaho Supreme Court affirmed the district court decision granting declaratory judgment against the State of Idaho in an action challenging the adequacy and method of funding public education in Idaho.

In the district court, ISEEO sought a declaratory judgment that the State failed in its constitutional duty "to establish and maintain a general, uniform and thorough system of public, free common schools." After over a decade of litigation, the district court concluded in 2001 the system of school funding established by the Legislature was insufficient to meet the constitutional requirement because reliance on loans alone to pay for major repairs or the replacement of unsafe school buildings was inadequate for the poorer school districts.

In this appeal, the Supreme Court ruled ISEEO was a proper party to litigate and obtain judgment on behalf of school districts that were not parties in the lawsuit. Also, because the focus of the litigation was the adequacy of the State's funding mechanism, the Court reasoned ISEEO was entitled to show statewide safety problems that resulted from the State's funding methods. The Court next determined the district court's findings related to school facility problems and the difficulties associated with passing bonds were supported by substantial and competent evidence. The Court then decided the State's recently enacted legislation addressing school funding and the remedial measures taken by various school districts did not make the case moot because (1) the State did not show the current funding system was adequate to stop the further accumulation of unsafe facilities, and (2) the issues fell within the public interest exception to the mootness doctrine.

In upholding the district court's decision that the current funding system violated Idaho's constitution, the Court emphasized the appropriate remedy lies in the hands of the Legislature, and not with the Court. Thus, while the Court recognized the method of ensuring compliance with the mandate to provide a safe environment conducive to learning was a policy decision committed to a separate branch of government, the Court noted its continuing responsibility to review further legislative efforts to comply with Idaho's constitutional provisions.